



Iowa's Juvenile Justice System Improvement Planning Grant

Key Findings from System Analysis

November 6, 2017

Presenters:

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01 Background

02 System Performance

03 Key Findings

- Supervision
- Service Delivery
- Disparities

04 Next Steps

A statewide task force oversees the grant, with the goal of developing a statewide strategy for improving Iowa's juvenile justice system.

Steve Michael, Cochair
Division Administrator, Criminal and Juvenile
Justice Planning, Department of Human Rights

Gary Niles, Cochair
Chief Juvenile Court Officer for 3rd District,
Juvenile Court Services

Rachel Antonuccio, Iowa City Public Defender,
Office of the Public Defender

Judge Romonda Belcher, District Associate
Judge

Ed Bull, Marion County Attorney

Senator Dan Dawson (R), Iowa Senate District 8

LaTasha DeLoach, Community Projects
Specialist, Johnson County Social Services,
Disproportionate Minority Contact
Subcommittee

Ruth Frush, Chief Juvenile Court Officer for 1st
District, Juvenile Court Services

John Goerdts, Deputy State Court Administrator,
Office of State Court Administration

Jane Harvey, Bureau Chief, Child Welfare and
Community Services, Department of Human Services

Kristie Oliver, Executive Director, Coalition for Family
& Children's Services

Nicole Proesch, Legal Counsel, Department of
Education

John Quinn, Chief of Police, City of Waukee

Representative Ras Smith (D) Iowa House District 62

Senator Rich Taylor (D), Iowa Senate District 42

Vacant- Iowa House of Representatives (R)

The grant builds on recent system improvements advanced by Juvenile Court Services and Criminal and Juvenile Justice Planning (CJJP).

Supervision (Carey Guides, Effective Practices in Community Supervision [EPICS], Motivational Interviewing, Graduated Sanctions)

Specialty Courts

Structured Decision-Making Tools (Detention Screening Tool [DST], Iowa Delinquency Assessment [IDA], Dispositional Matrix)

System Coordination (Child Welfare System of Care)

Data and Quality Assurance (Justice Data Warehouse, Standardized Program Evaluation Protocol [SPEP])

Iowa Girls Justice Initiative

Iowa Model Work Group

Pew-MacArthur Results First Initiative

Disproportionate Minority Contact (DMC)

Juvenile Reentry System (JReS)

The Juvenile Justice System Improvement assessment focused on three key questions:



Supervision: Are youth being **matched with the appropriate level of supervision** based on their risk of reoffending?



Service Delivery: Are **limited resources prioritized for services for youth who are most at risk of reoffending**, and are the services youth receive **demonstrated by research** to improve outcomes?



Disparities: Are youth of different races, ethnicities, and genders **treated equitably** across the juvenile justice continuum?

Case-level data and extensive focus groups and interviews with system stakeholders inform the analysis presented today.

Data Reviewed

Complaints

Risk assessments

Detention

Supervision

Placement

Services

Stakeholder Groups Interviewed

Task force members and CJJP staff

Juvenile court officers, supervisors,
and court leadership

Judges, prosecutors, and defense
attorneys

Department of Human Services (DHS)
staff and leadership

Service providers

Legislators and Governor's staff

There are some key caveats to note about the data analysis.

1. Based on available data from 2011–2017 collected by the Iowa Department of Human Rights, Division of Criminal & Juvenile Justice Planning, as reported by judicial districts:
 - The length of stay on supervision could not be calculated.
 - Placements, services, and risk assessments were not associated with a specific complaint.
 - Mental health and substance abuse need information was not available in a form conducive to analysis.
 - The DST was not scoring correctly on all items.
 - District location is associated with a youth's first complaint in the study period and does not account for mobility across the system.
2. The disparity analysis did not control for severity of offense.

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01 Background

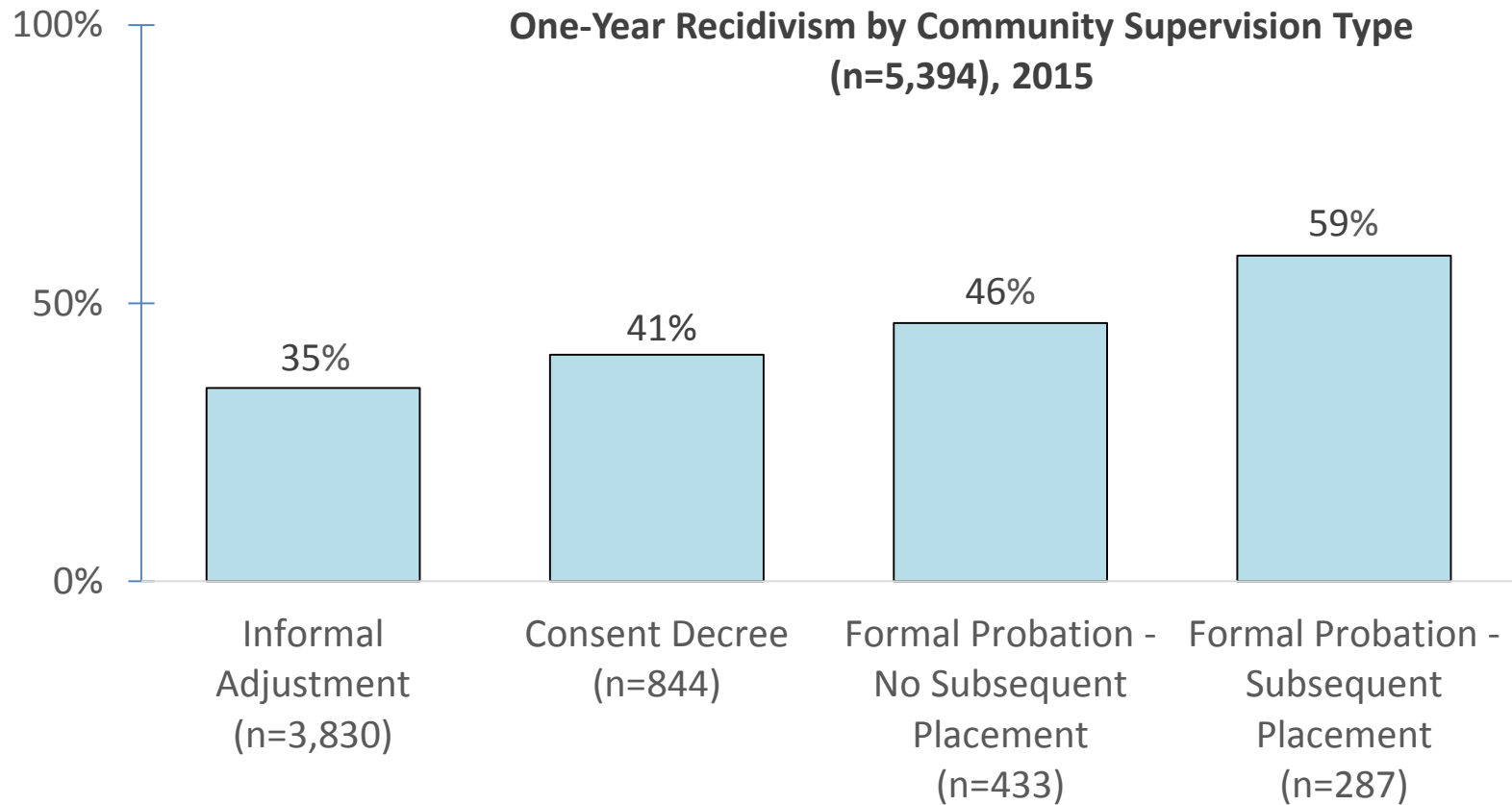
02 **System Performance**

03 Key Findings

- Supervision
- Service Delivery
- Disparities

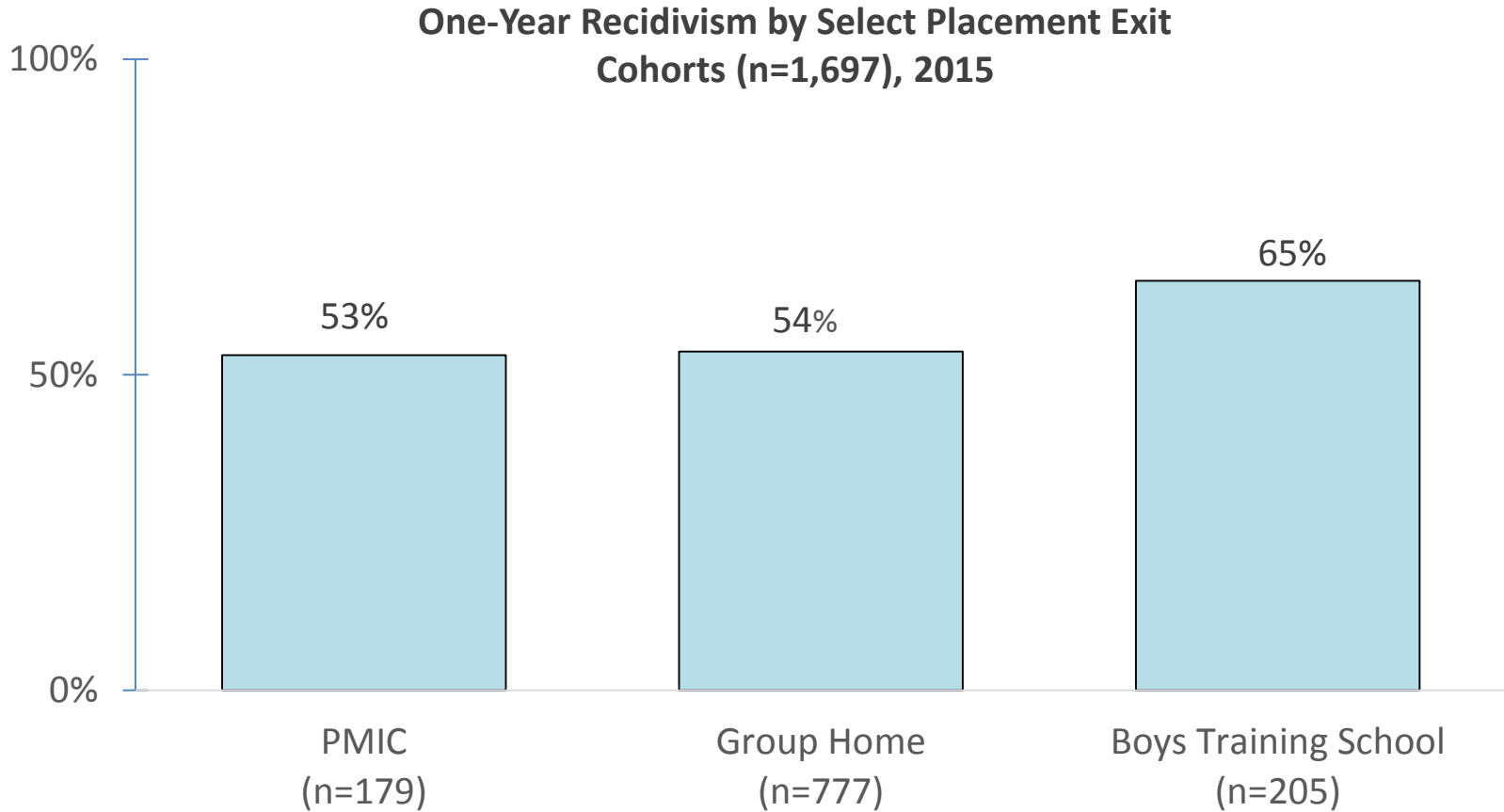
04 Next Steps

More than one-third of youth on all levels of community supervision and more than 45 percent on formal probation recidivate within one year of starting supervision.

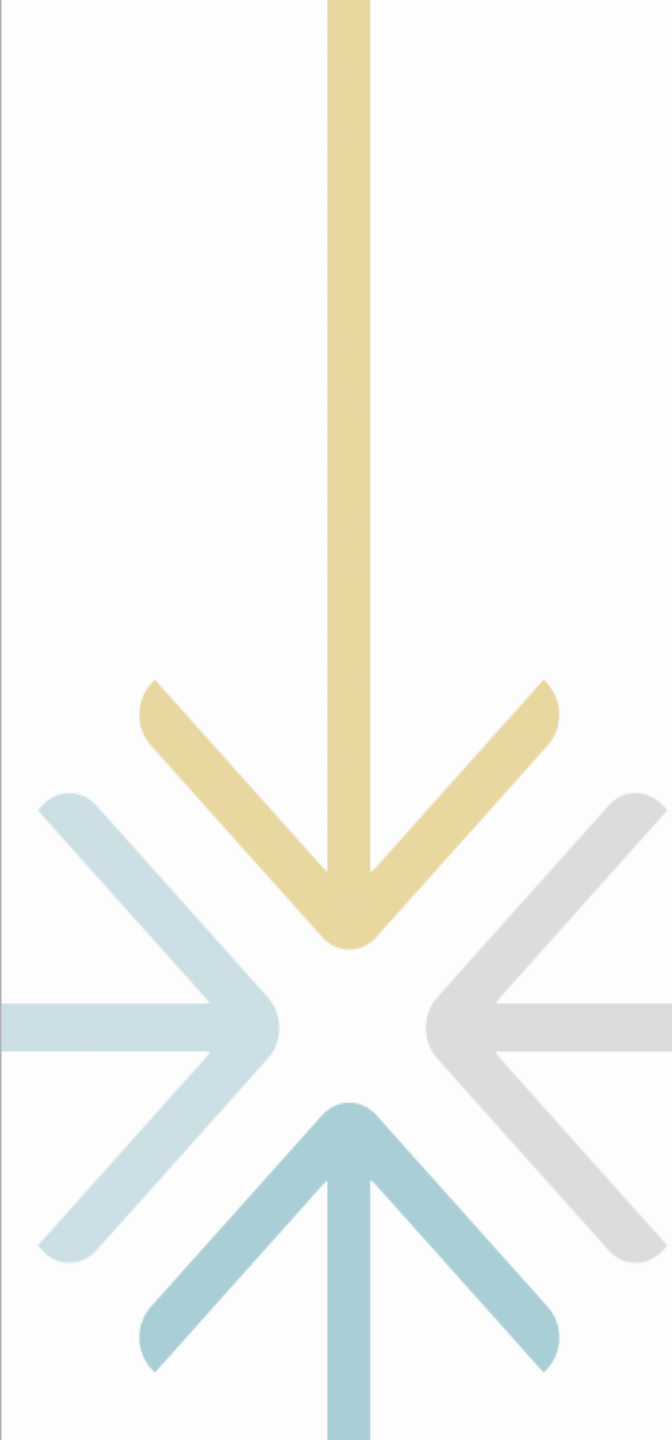


Definition of Recidivism: A subsequent complaint, in either juvenile or adult court, excluding civil infractions, scheduled and non-scheduled violations (typically fine only), and local ordinances in the year after starting supervision.

At least half of youth returning from out-of-home placements, and two-thirds from the state training school, recidivate within one year of release.



Definition of Recidivism: A subsequent complaint, in either juvenile or adult court, excluding civil infractions, scheduled and non-scheduled violations (typically fine only) and local ordinances in the year after exiting placement.

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Are youth being **matched with the appropriate level of supervision** based on their risk of reoffending?

Noteworthy efforts are underway to match youth to the most appropriate level of supervision based on their risk of reoffending. The degree to which this matching occurs varies across districts. Additionally, five of the eight districts have experienced an increase in the detention rate and seven districts have experienced an increase in lengths of stay in detention over the past five years.

Matching supervision and services to youth's assessed risk of reoffending and dynamic risk factors produces the best outcomes.

STEP 1: Assess risk of reoffending using validated tool

Low risk

Moderate risk

High risk

STEP 2: Minimize supervision for low-risk youth and focus resources on high-risk youth

Diversion
OR
probation

Probation

Probation
OR
residential placement

STEP 3: Assess needs and match youth to services

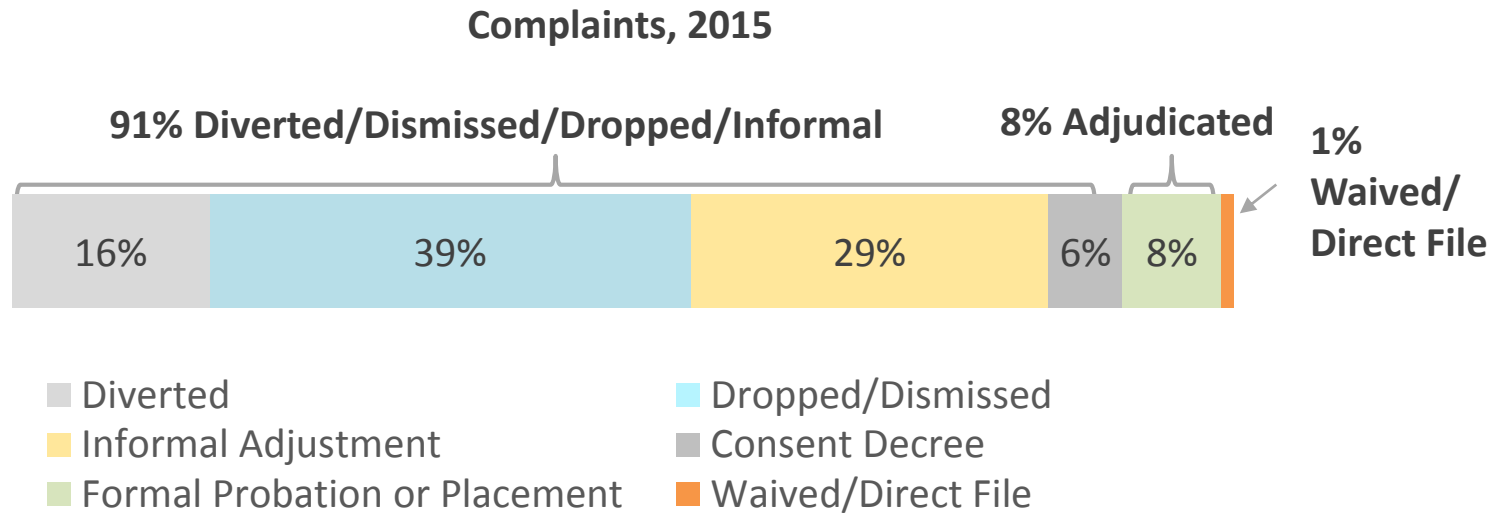
Referrals to behavioral health system if needed

Identify and address risk factors that drive delinquent behavior

DYNAMIC RISK FACTORS

Dynamic risk factors are those that can be changed through development or system interventions. The most prevalent factors for young people include: family/parenting problems; negative beliefs and attitudes; negative peers; poor school performance; substance use; and a lack of social attachments

Overall, the majority of youth referred to the system do not receive formal adjudication, but many still receive supervision and services.

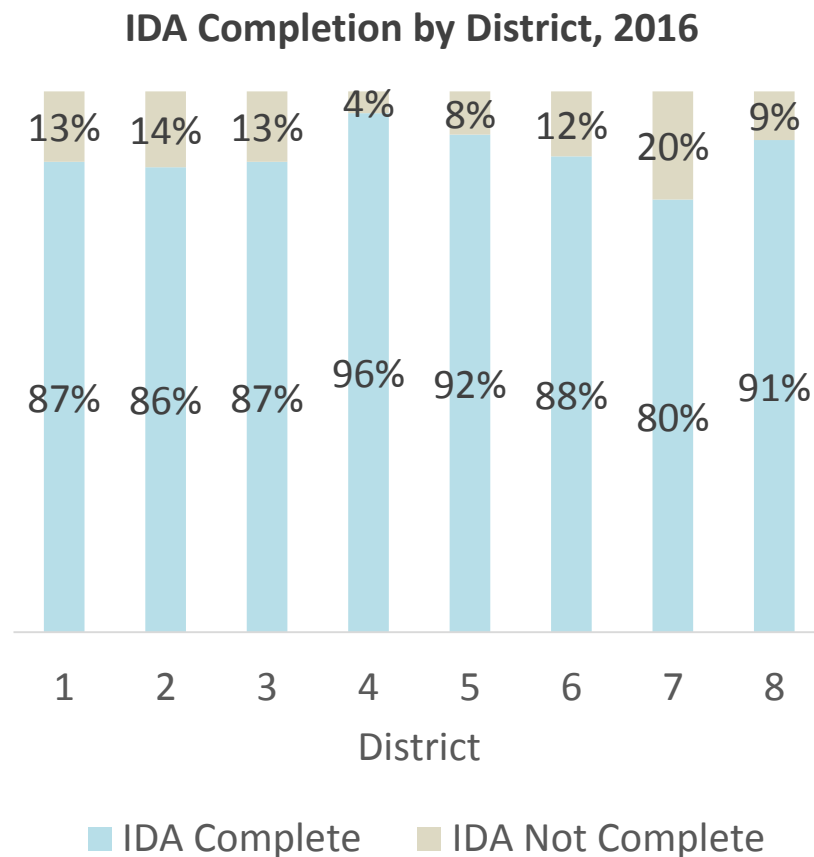
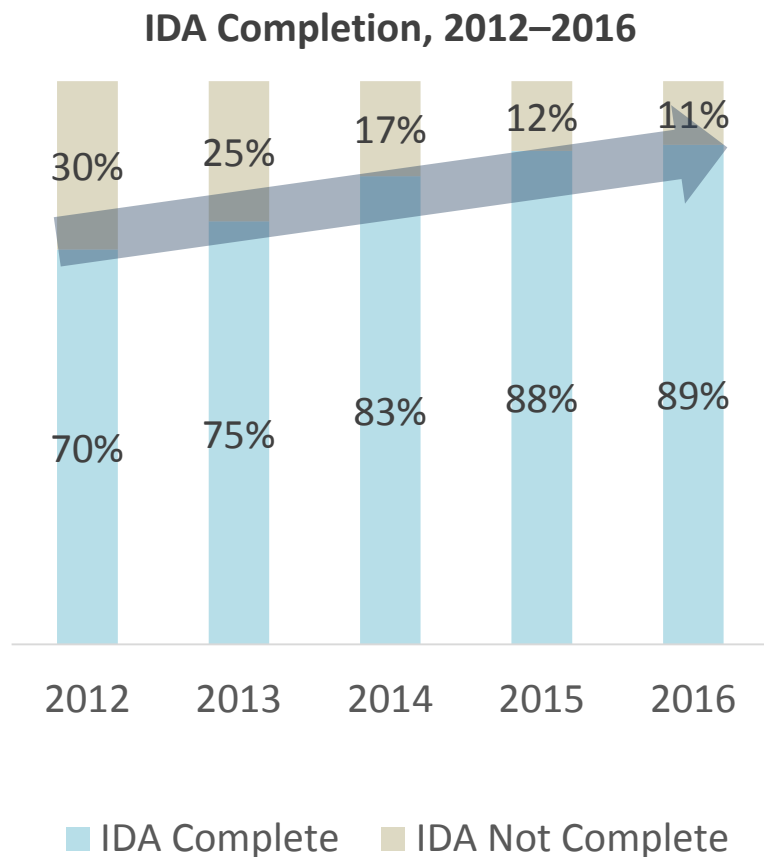


Proportion of Complaints for Low-Risk Youth Starting Informal Adjustment, 2015

Year	Complaints for Low-Risk Youth*	
	Number	% Starting Informal Adjustment
2015	5,091	52%

*Low-risk youth were identified by the result of the short-form IDA performed nearest to the complaint date, within six months of the complaint.

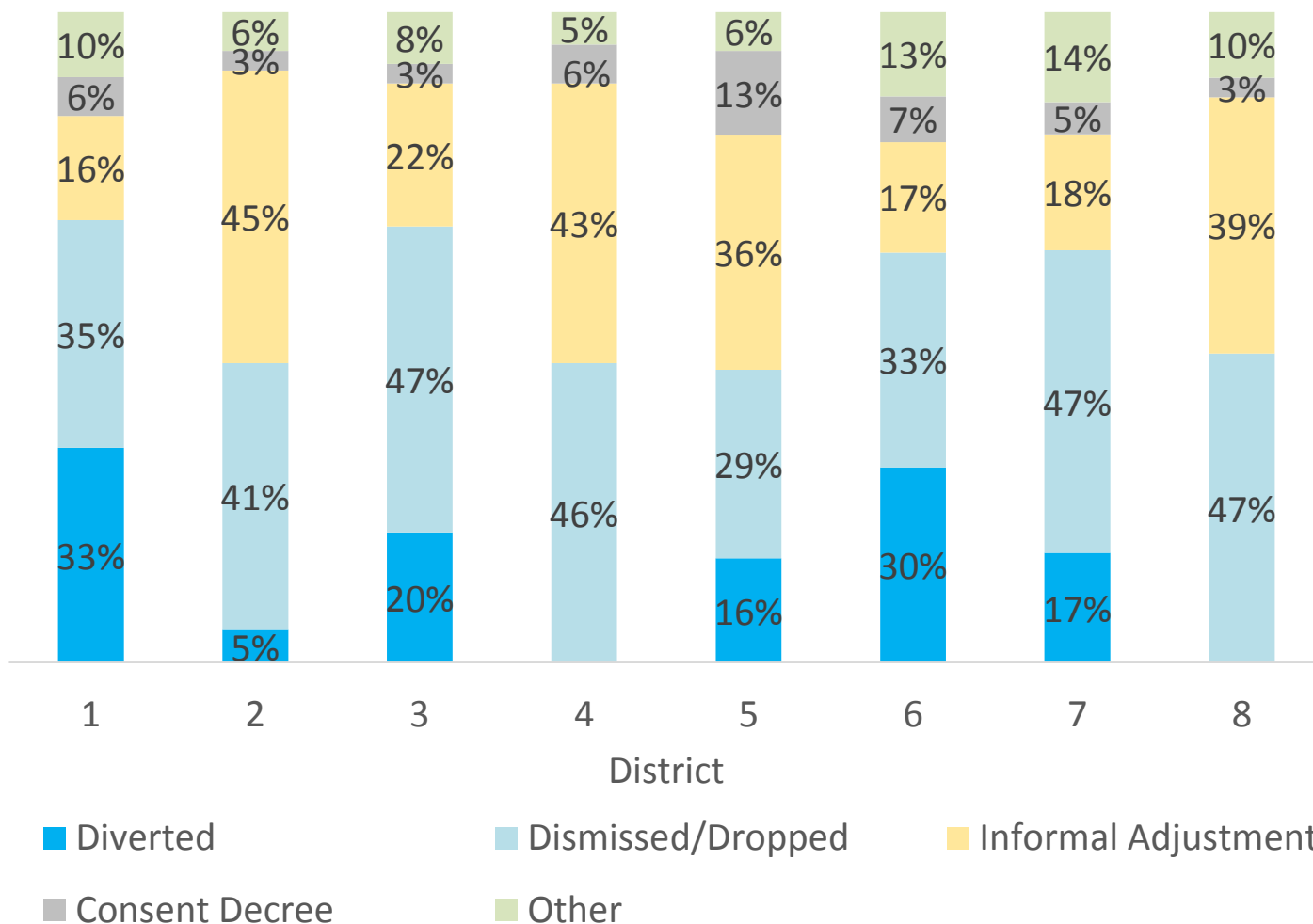
Completion of the IDA has increased, with some variation across districts.



Note: Complaints diverted, dismissed, or dropped were excluded from this analysis since IDA completion is not required in these circumstances.

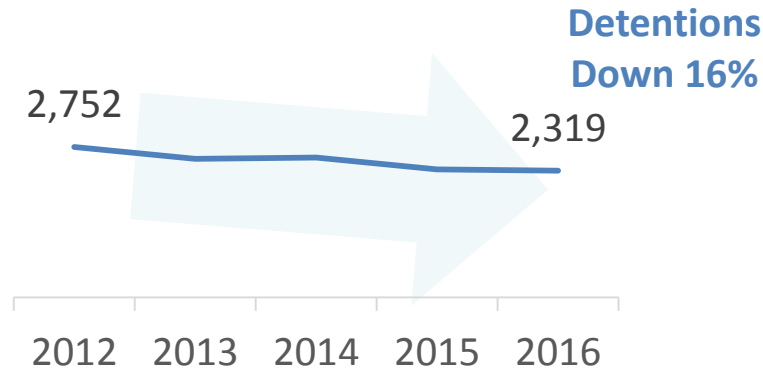
Iowa lacks statewide policies for making diversion and informal adjustment decisions, and the IDA and other screening tools are not consistently used to guide these decisions.

Complaint Outcomes by District, 2015

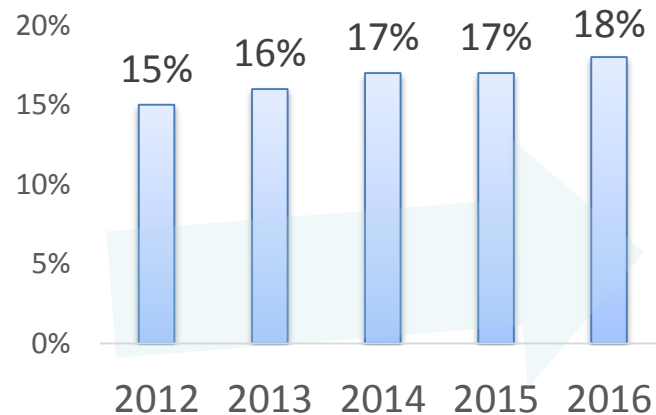


Detention holds have declined since 2012, but the rate of youth being detained (as a proportion of complaints) has increased.

Juvenile Detentions in Iowa, 2012–2016



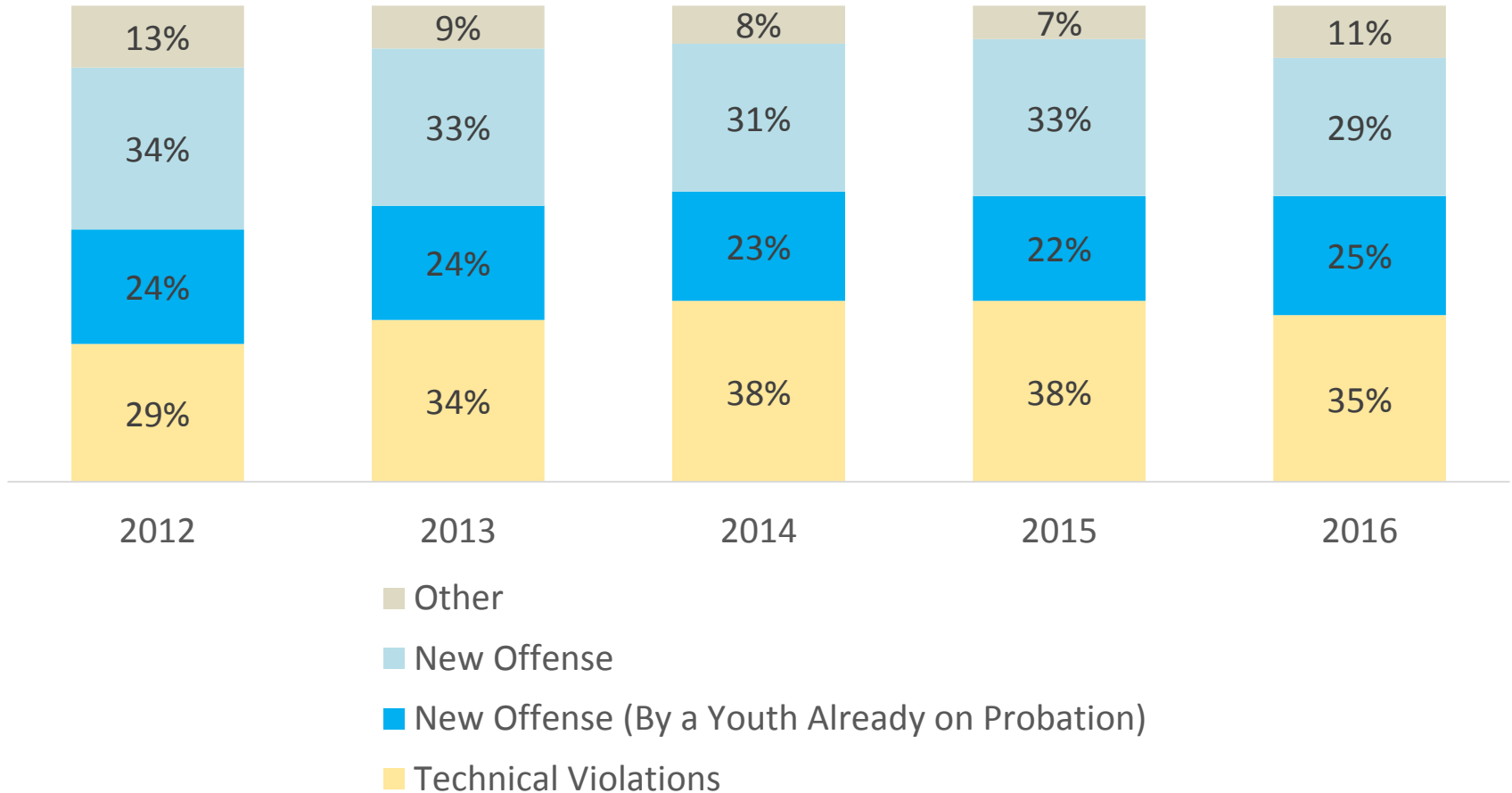
Juvenile Detentions as a Percentage of Complaints, 2012–2016



Note: Detention data included in the analysis comes from the detention application.

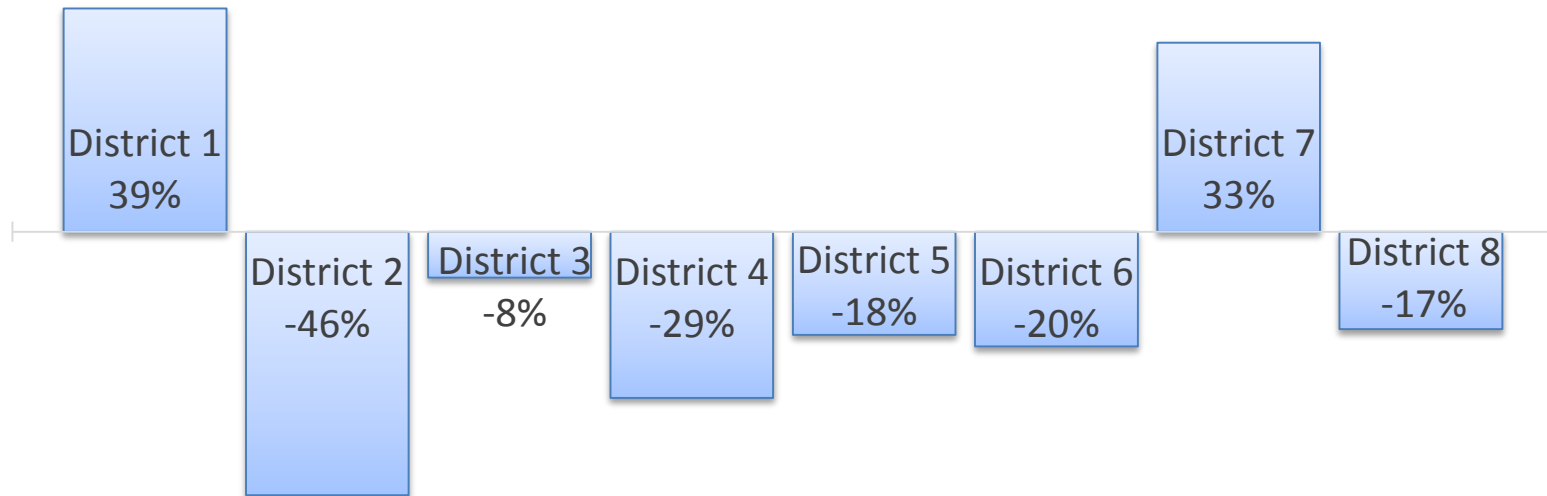
More than a third of detention holds are for technical violations and the proportion of holds for this reason has increased over time.

Juvenile Detentions by Type, 2012–2016



Iowa lacks statewide criteria on the use of detention before and after disposition, and the Detention Screening Tool (DST) is used inconsistently across districts.

Percent Change in Detention Holds by District, 2012–2016

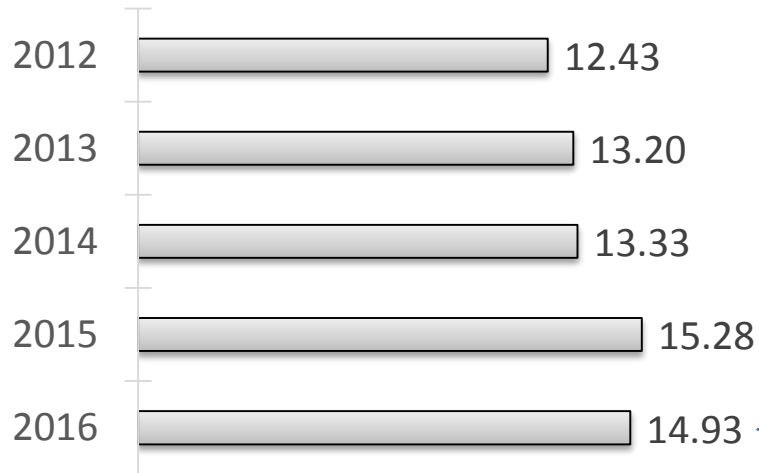


Key Limitations of the DST:

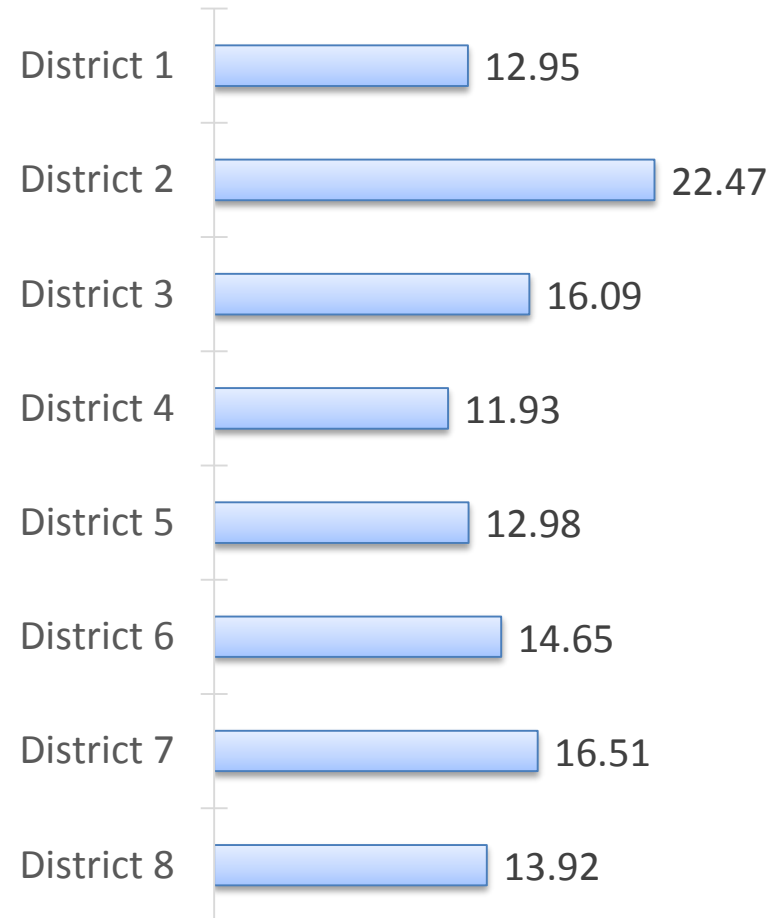
- Some items in the DST have little to do with public safety risk or failure to appear.
- There are no standardized statewide policies guiding the use of the DST.
- There are no quality assurance policies or protocols in place to ensure that the DST is used as intended and to minimize overrides.
- Additional and ongoing efforts are necessary to ensure that the DST is not being implemented with racial bias.

Lengths of stay in detention have increased since 2012, with variability in current lengths of stay across districts.

Detention Lengths of Stay (Days)*, 2012–2016



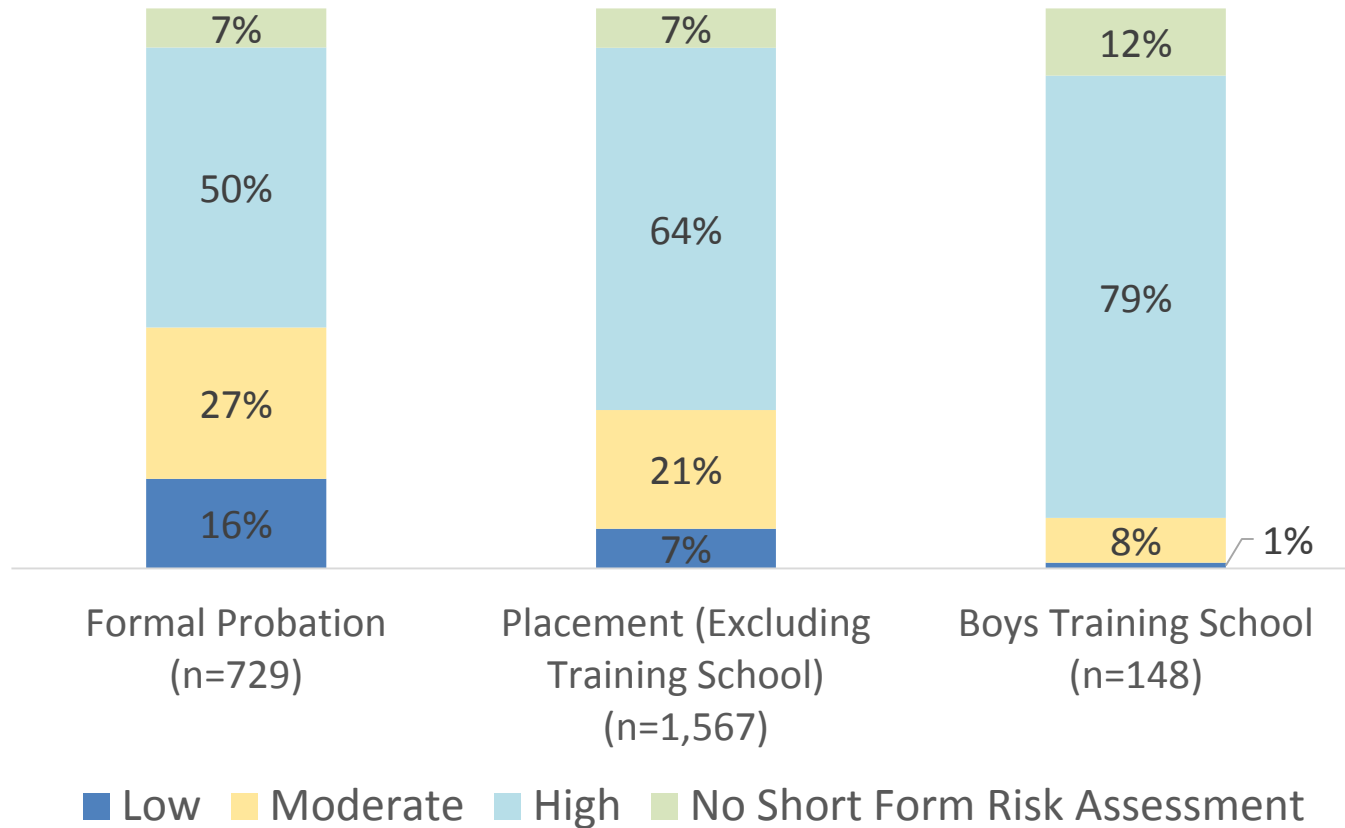
Detention Lengths of Stay (Days)* by District, 2016




*Detention holds for waivers to adult court were excluded from the analysis.

Formal probation and out-of-home placement are most frequently used for youth assessed as having moderate and high risk of reoffending.


Level of Risk to Reoffend by Disposition (n=2,444), 2016




Many states have established statewide policies on the use of diversion, detention, and supervision and protocols for how these decisions are made:



Juvenile probation in Nebraska is overseen by a **deputy probation administrator who supervises regional probation chiefs and helps develop and coordinate statewide assessment, supervision, and service policies and practices.** In 2013, Nebraska also passed legislation that provides funding for a director of Juvenile Diversion and director of Community-Based Juvenile Services.



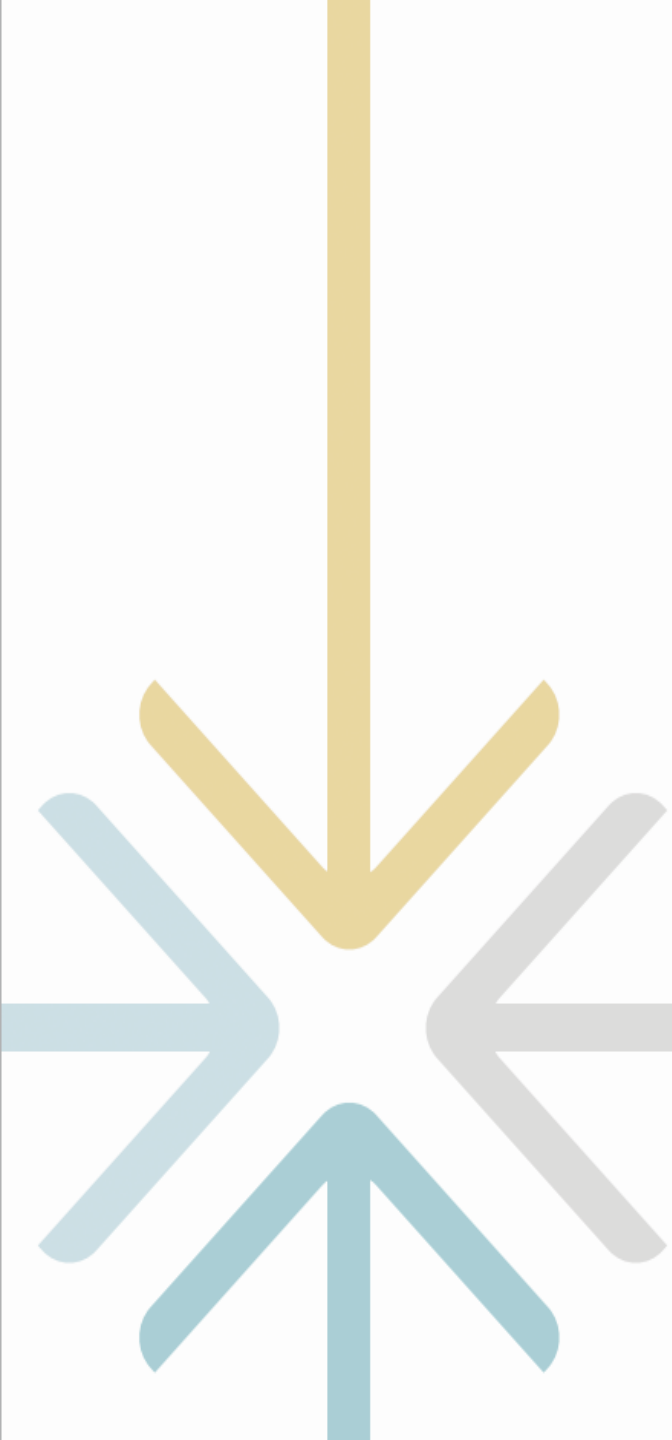
Pennsylvania used their Juvenile Court Judge's Commission to roll out **training and policies related to use of the YLS/CMI at probation intake in 67 of their decentralized probation counties.** Funding for county probation was tied to the adoption of the YLS/CMI. Legislation protected the disclosure of assessment information prior to adjudication. The YLS/CMI is also **used for decisions related to informal processing.**



In 2015, the Arkansas Administrative Office of the Courts **adopted the SAVRY and policies for its administration before adjudication in its decentralized, county probation system.** The training and policies are being rolled out to other counties in phases. **Prior to obtaining SAVRY training, the counties are required to craft a policy for pre-adjudication administration that protects disclosure of SAVRY findings before adjudication.**

There are opportunities to establish statewide policies and practices on the use of diversion, detention, and informal and formal supervision.

1. Hire an administrator of Juvenile Court Services in the State Court Administrator's Office to coordinate district practices and serve as a single point of contact for collaboration with other state agencies.
2. Develop more formal, statewide opportunities for pre-arrest diversion to minimize system contact and monitoring for low-risk youth, such as a civil citation program.
3. Consider statute or court rule changes regarding eligibility for diversion, informal adjustment, and detention, including whether to have any form of informal supervision at all, as well as whether detention should be used as a sanction after disposition.
4. Establish statewide screening, diversion, and assessment policies, and formalize these policies and training requirements through court rules or a supervisory order from the Supreme Court.
5. Revise the DST to ensure correct scoring and use. Once fully implemented, revalidate and improve its accuracy as needed.
6. Improve data collection, including capturing supervision start and end dates; developing a common identifier to link different points of contact with the system that arise from a complaint; and collecting data on the use of technical violations and other sanctions, including date, reason, and response.

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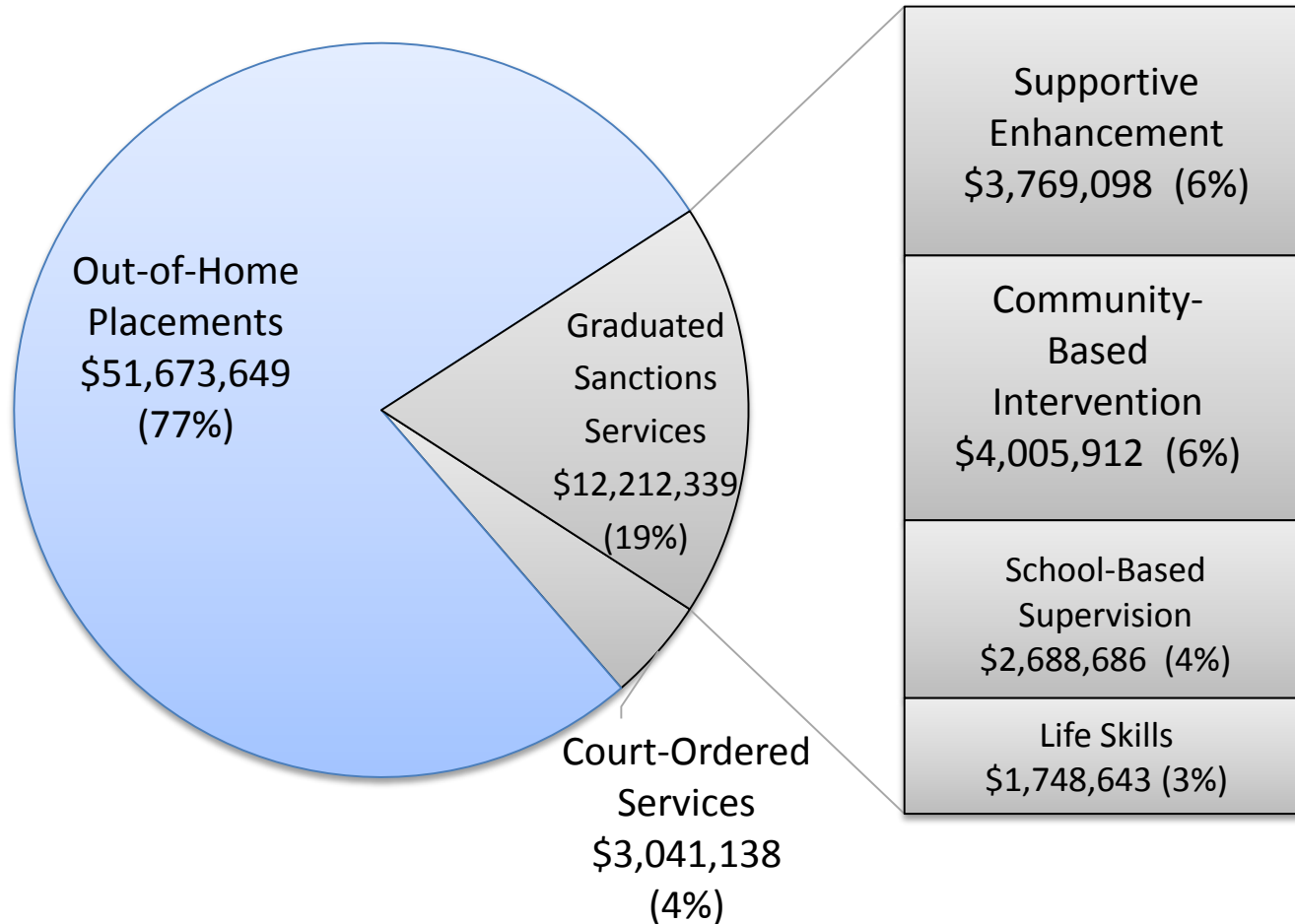


Service Delivery: Are limited resources prioritized for services for youth who are most at risk of reoffending, and are the services youth receive **demonstrated by research to improve outcomes?**

Moderate- and higher-risk youth in Iowa are not sufficiently receiving treatment-oriented services known to address dynamic risk factors, and low-risk youth may be receiving too many services. In addition, limited formal, statewide policies, tools, and funding requirements exist to ensure that youth are consistently matched to services that address their needs and are research based.

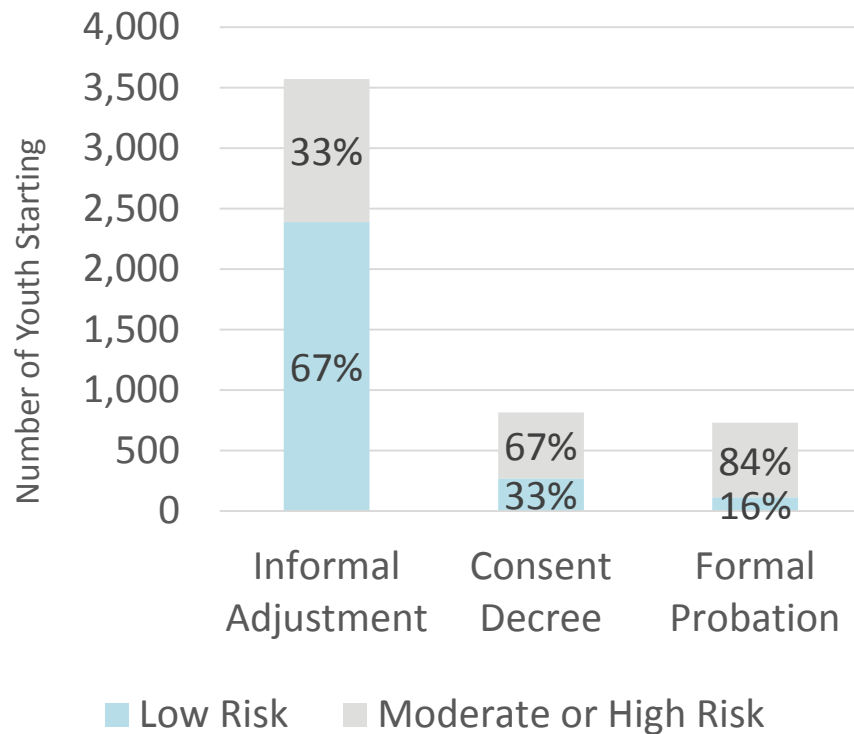
Iowa spends approximately \$67 million annually on community-based and residential juvenile justice services.

Juvenile Justice Service Expenditures, 2016

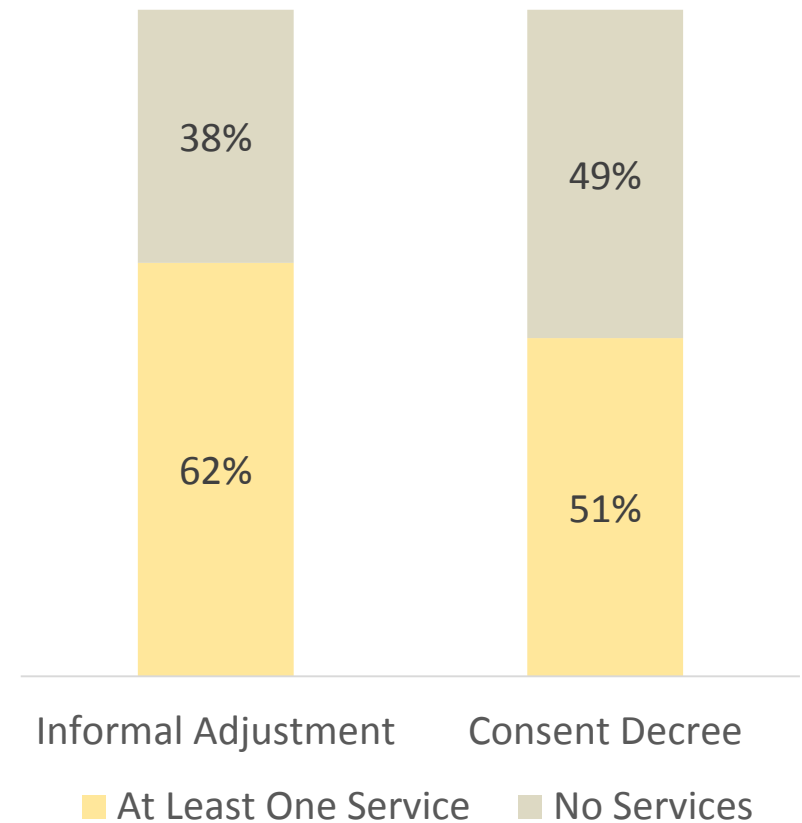


The majority of system resources are used for services for low-risk youth, who typically should receive minimal, if any, system intervention.

Starting Involvement (% Low Risk), 2016



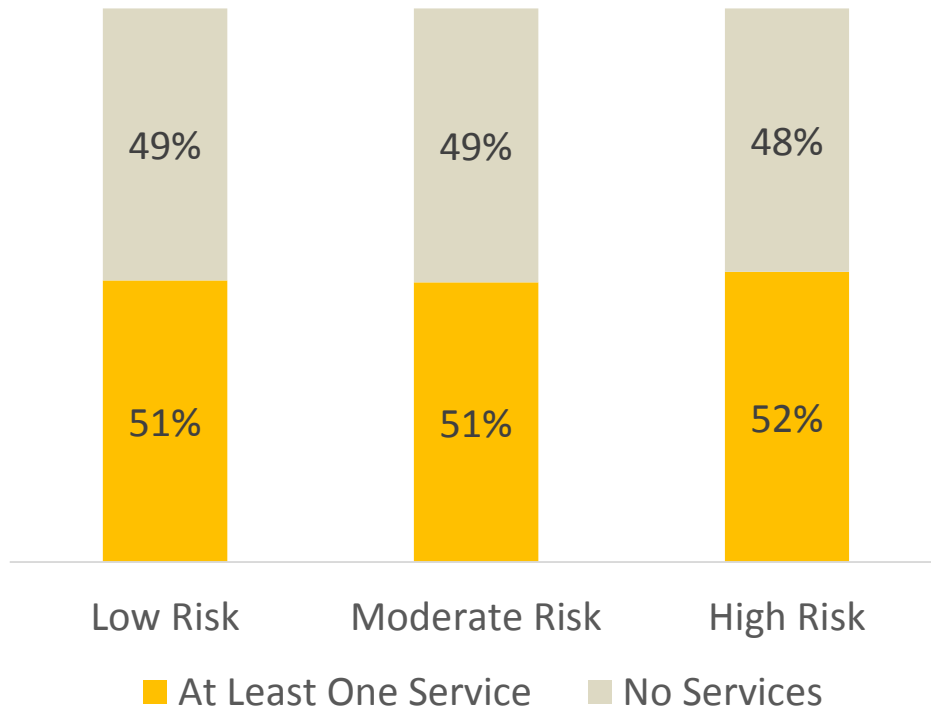
Low Risk and Receiving Services, 2016



Note: A youth may be represented more than once in each count if he or she had multiple starts in the same year.

Only approximately half of youth on formal probation receive community-based services, and youth of different risk levels receive the same number of services.

Youth on Formal Probation Receiving Services by Risk Level, 2016

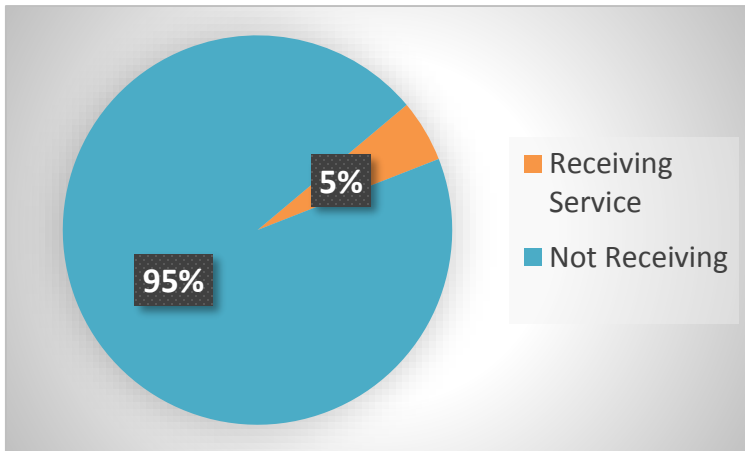


Risk Level	Average Number of Services
Low	2.3
Moderate	2.4
High	2.2

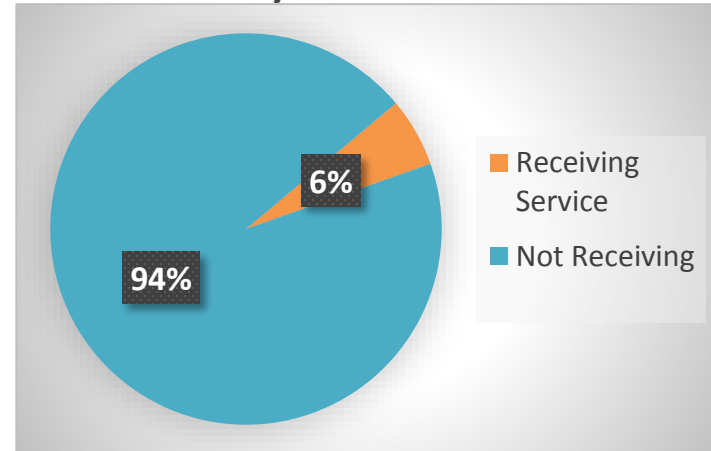
The highest-risk youth under system supervision typically do not receive community-based treatment services to address dynamic risk factors.

Service Received by High Risk Youth Starting Formal Probation, 2016

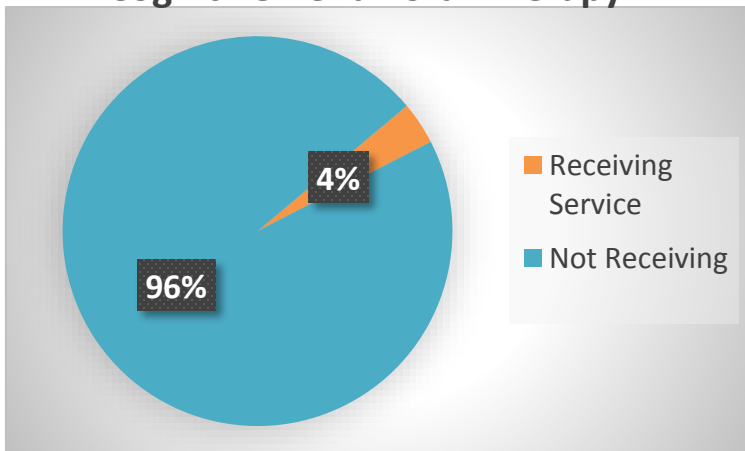
Mental Health Services



Family Services



Cognitive Behavioral Therapy



40% of youth on formal probation enter out-of-home placement at some point after starting supervision.

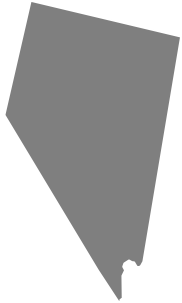
Iowa lacks statewide requirements and policies to ensure that resources are used for research-based services.

- There are no statutory funding incentives, requirements, or court rules directing which youth receive services and requiring that these services are evidence based.
- Current DHS administrative rules that guide funding may inhibit effective service matching/delivery.
- There is a lack of centralized procurement, contracting, and oversight processes that require the use of evidence-based programs and hold providers accountable for service fidelity and improved youth outcomes.
- While the SPEP is underway, CJJP has limited capacity to expand the SPEP statewide and the court lacks its own quality assurance infrastructure.

Residential services are largely not tailored to addressing the specific risk and needs of youth in the juvenile justice system.

- There are limited contractual requirements, quality assurance procedures, or oversight mechanisms specific to residential providers' service delivery for youth in the juvenile justice system.
- Youth in the juvenile justice and child welfare systems are often placed in the same facilities, with potential for negative peer influence.
- Many residential providers do not have specific case management approaches and services to address the dynamic risk factors of youth in the juvenile justice system, and there is no required training for providers on what research shows works for these youth.

Many states have enacted policy changes to prioritize services for higher-risk youth and promote the use of evidenced-based services:



In 2017, Nevada passed legislation **requiring all state funds for juvenile justice services to be used for evidence-based programs**, and established **an evidence-based resource center** to train and support providers, the state juvenile justice agency, and probation departments.



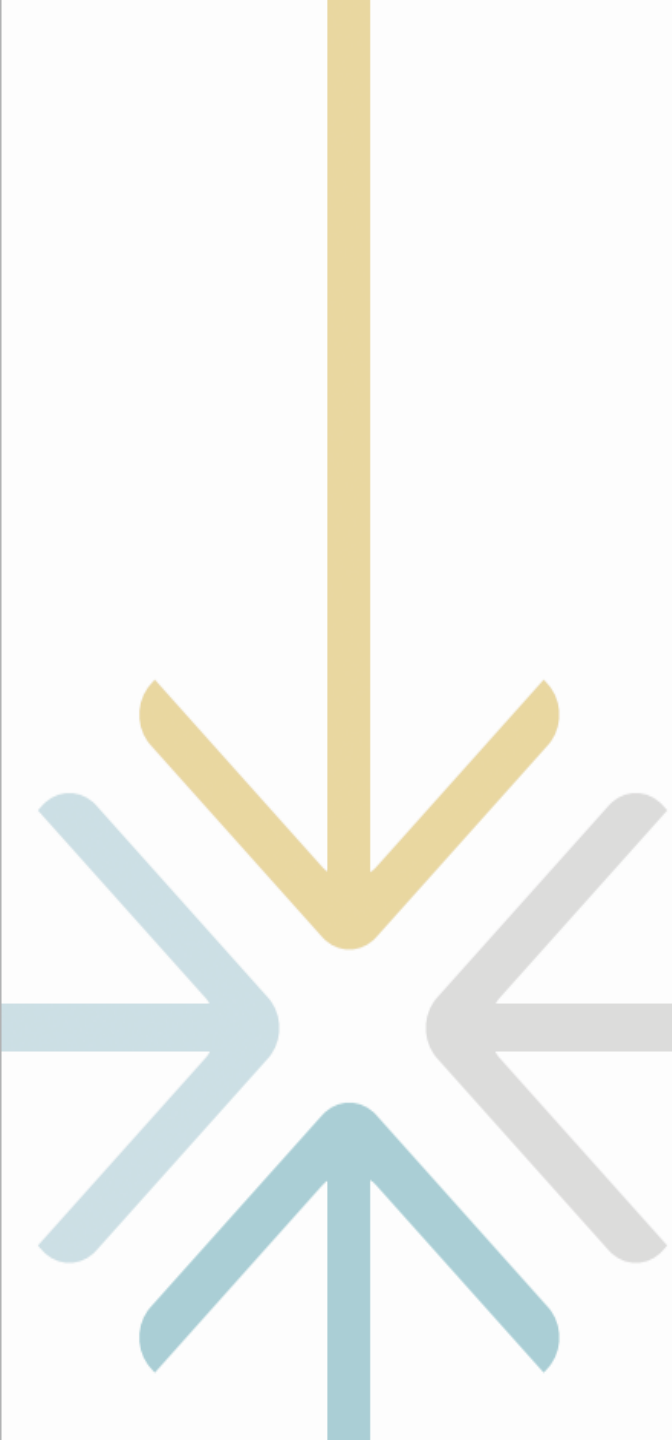
In 2014, Georgia appropriated \$5 million **to create more community-based juvenile justice programming that is evidence based** and established the Juvenile Justice Improvement Grant (JJIG) program, which **offers funding and technical support for programs that target youth who are assessed as having moderate and high risk of reoffending.**

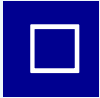


In 2013, Oregon passed legislation **requiring state agencies to annually increase the percentage of programs that are evidence based**. The state juvenile justice agency used the **Correctional Program Checklist** to assess and identify programs in both facilities and community-based residential programs that met the criteria to be considered evidence based.

There are opportunities to ensure that limited resources are used effectively to improve service delivery and outcomes for youth.

1. Provide the court with direct authority and responsibility for graduated sanctions funding, and require that this funding is used for moderate/high risk youth and evidenced-based programs/practices.
2. Establish centralized service procurement, performance based contracting, quality assurance, and oversight processes and standards across court districts.
3. Explore the possibility of the court redirecting existing resources to develop a quality assurance unit to partner with CJPJ and DHS on expanding/strengthening the SPEP and service data collection/analysis.
4. Establish distinct procurement processes, standards, contracts and performance measures, training requirements, and oversight processes for residential services for youth in the juvenile justice system.
5. Require the court and DHS to collaboratively develop a written strategic plan for improving the procurement, delivery, and oversight of juvenile justice community and residential services (including the expansion of mental health services).
6. Standardize the use of service codes to ensure that like service types are grouped together and consider capturing information on dosage to better evaluate and improve service matching.

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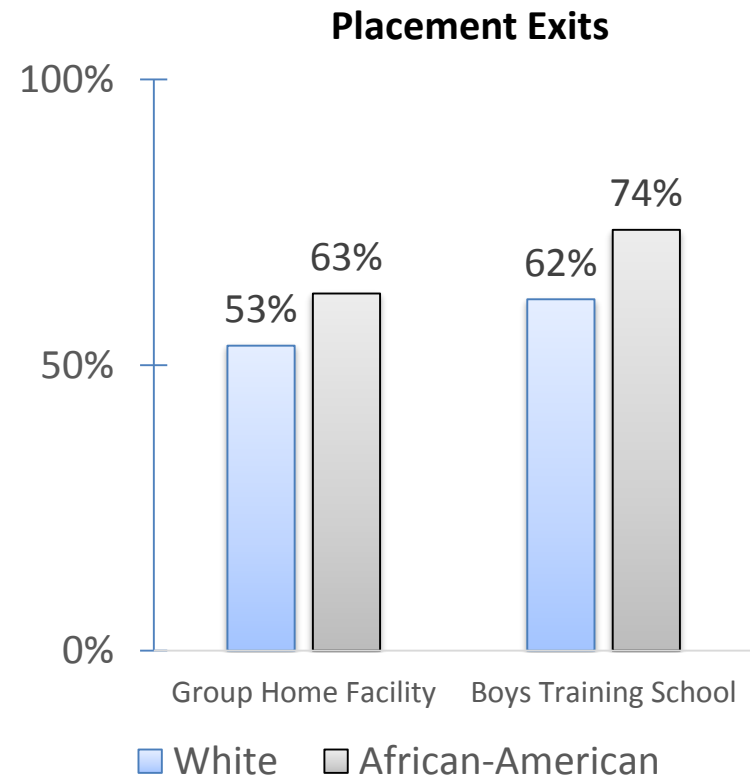
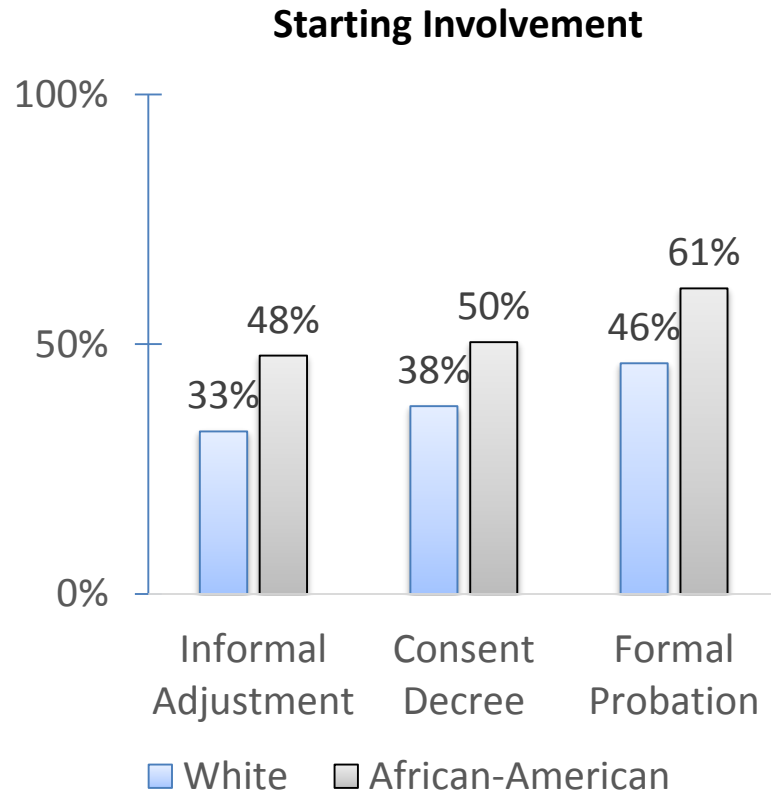


Disparities: Are youth of different races, ethnicities, and genders **treated equitably** across the juvenile justice continuum?

African-American youth are less likely to be diverted, more likely to be detained, and have experienced fewer declines in system involvement than other youth; these disparities have not improved over the last five years. Additionally, female youth face barriers to reducing their system involvement and obtaining services that meet their unique needs.

African-American youth are more likely than white youth to recidivate at every level of system supervision.

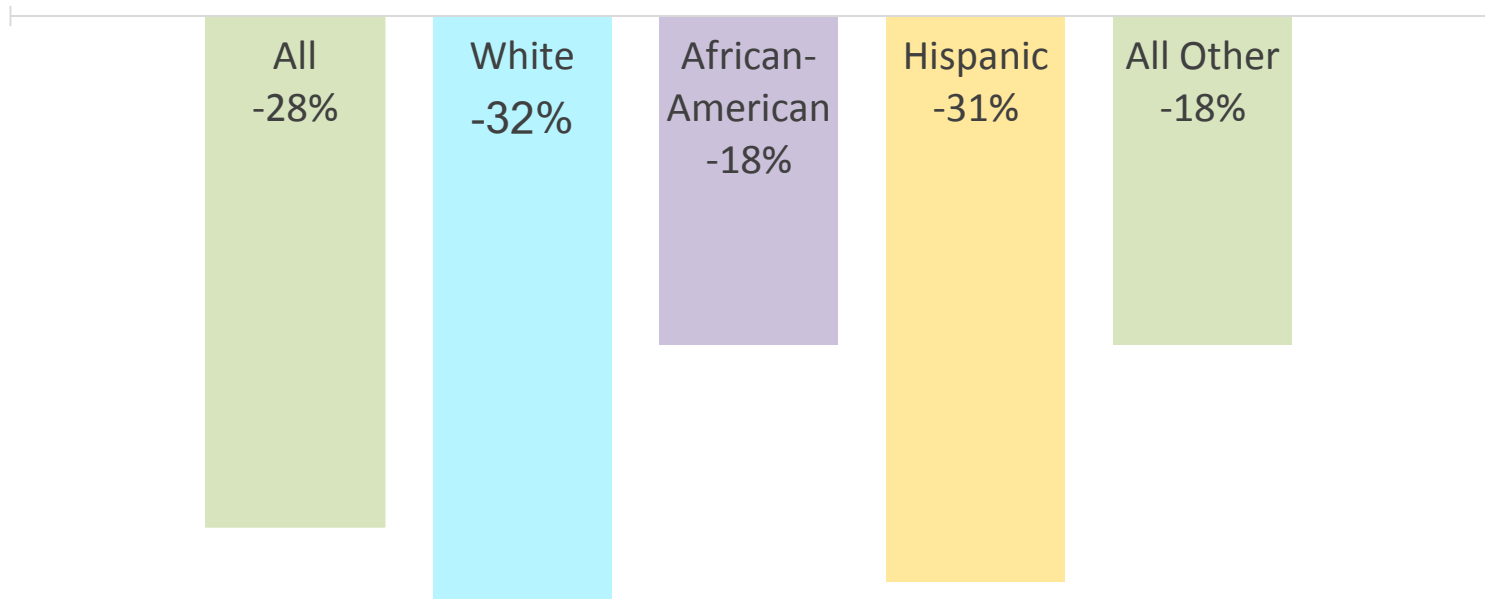
One-Year Recidivism, 2015 Cohort



Note: Analysis does not control for risk level or offense level/history

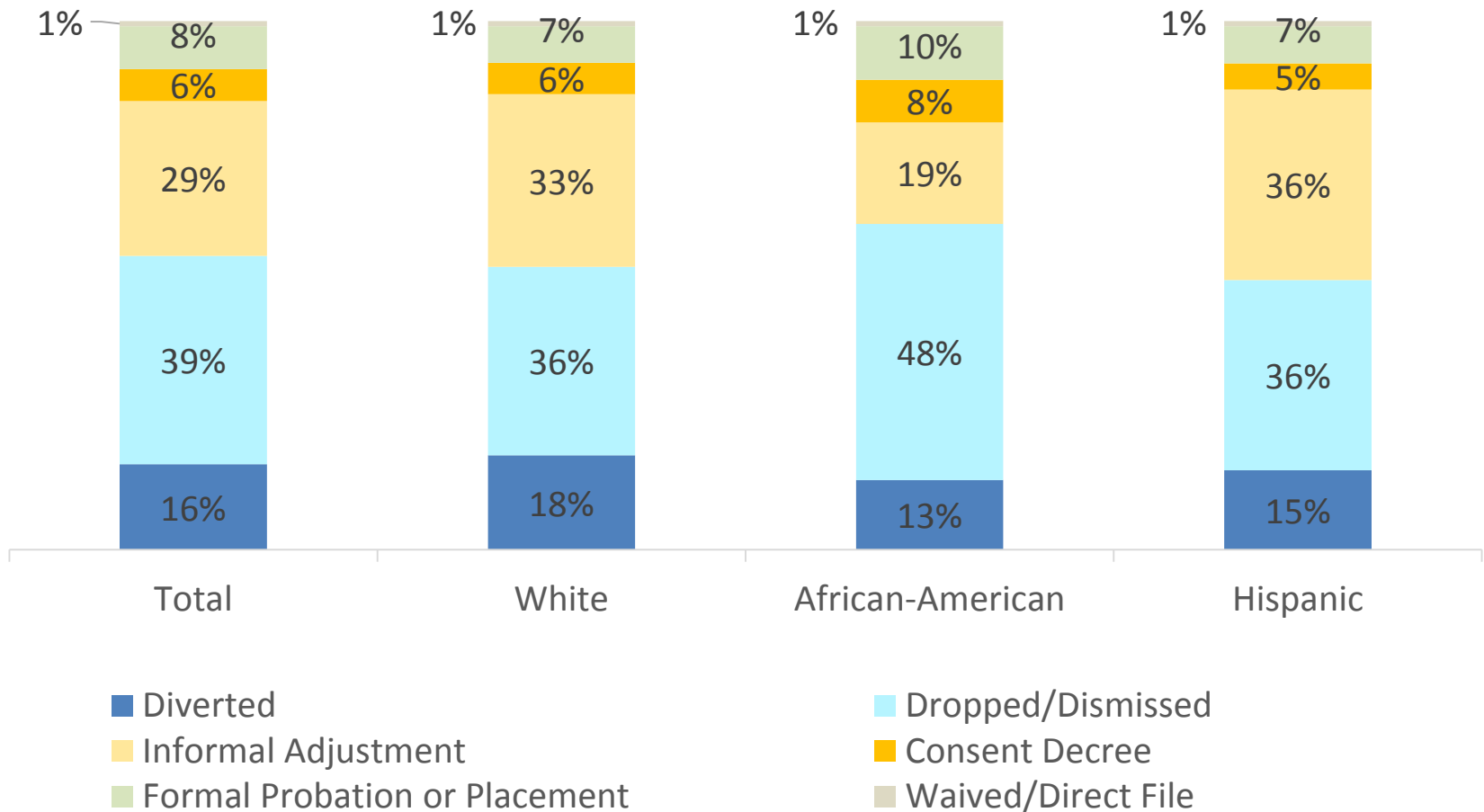
System complaints have declined less for African-American youth than for youth of other races and ethnicities.

Percent Decrease in Complaints by Race, 2012–2016



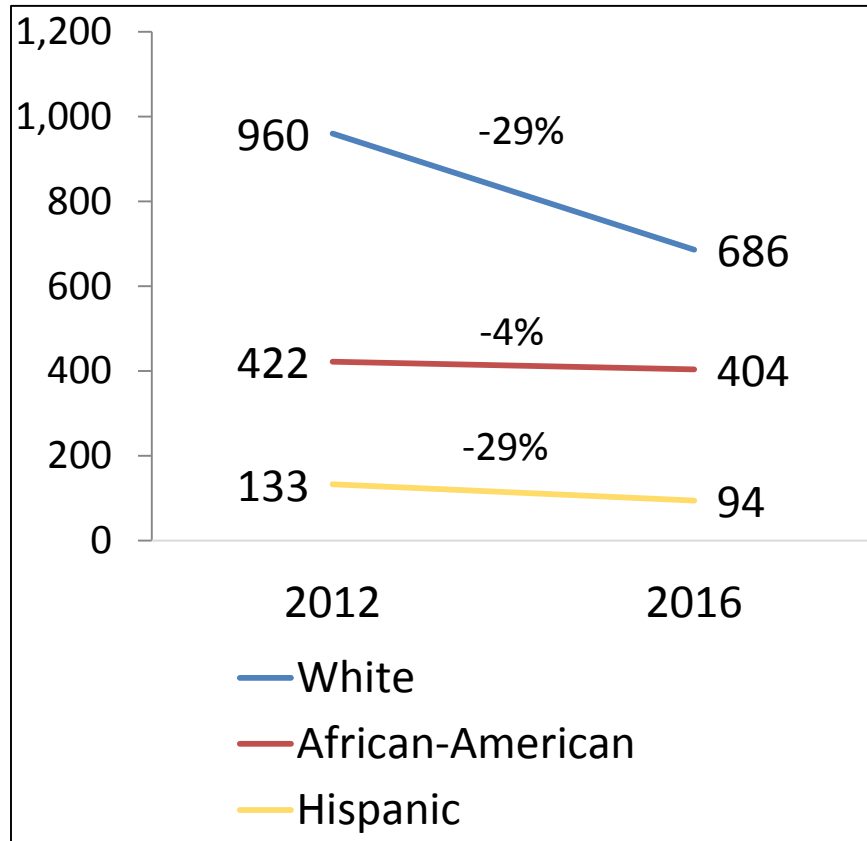
African-American youth are less likely to be diverted and more likely to receive formal supervision.

Complaint Disposition by Race, 2015

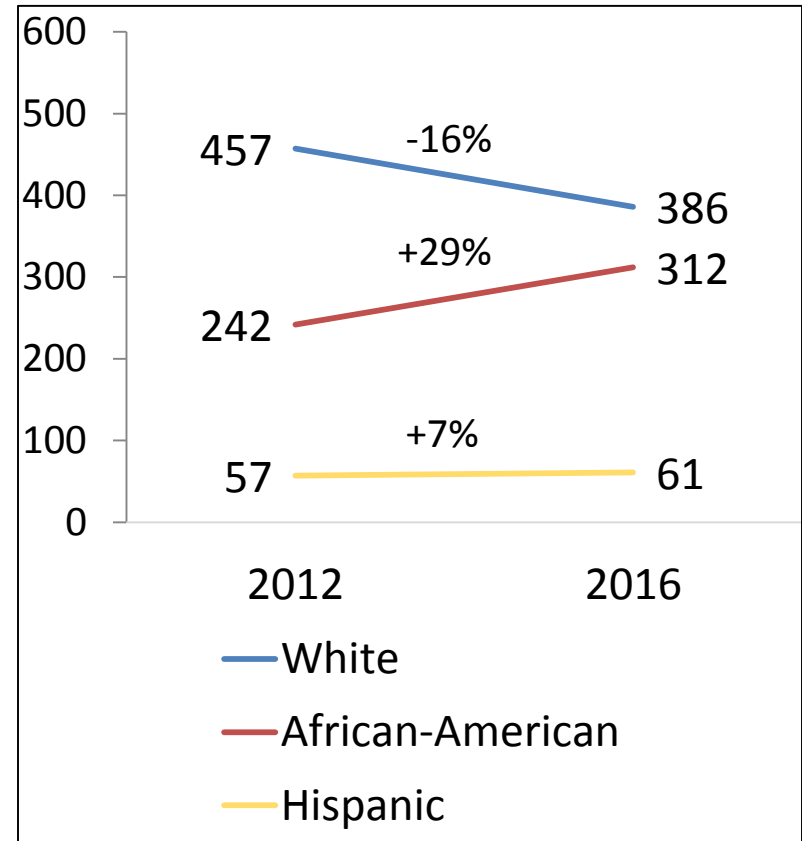


African-American youth have seen less of a decline in the use of detention than other populations.

Percent Change in Detentions for
New Offense, 2012–2016

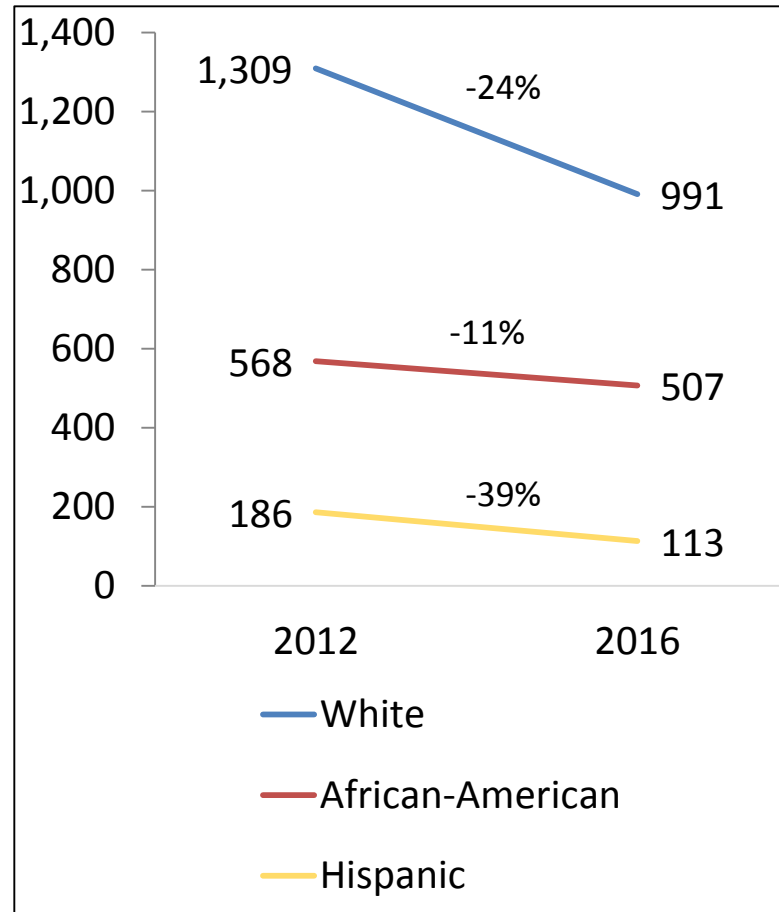


Percent Change in Detentions for
Technical Violations, 2012–2016



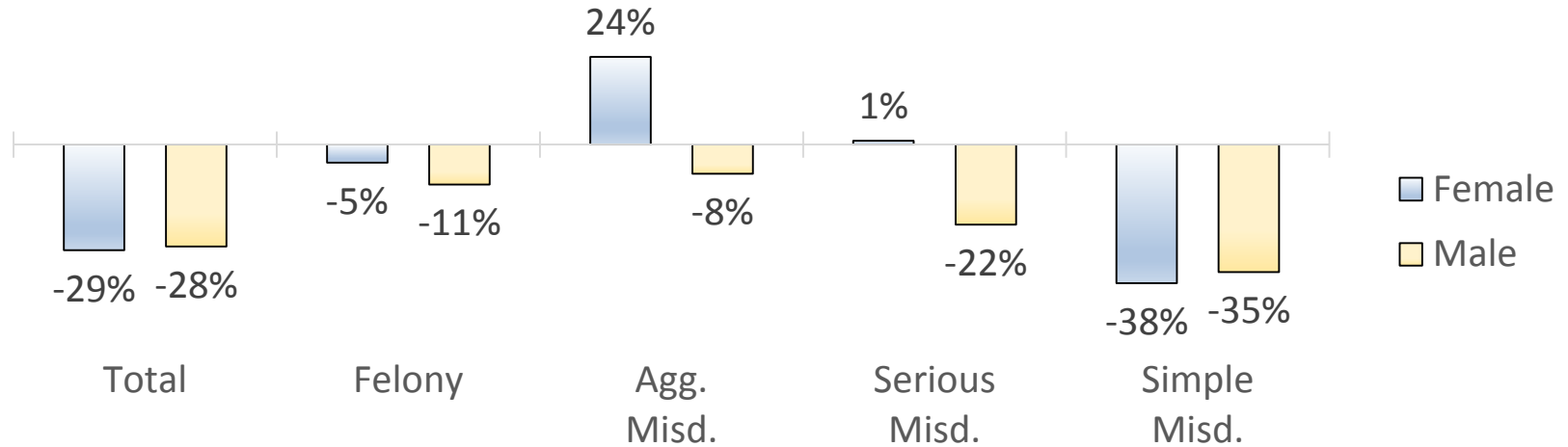
African-American youth have experienced less of a decline in out-of-home placements than other populations.

Percent Change in Placements, 2012–2016

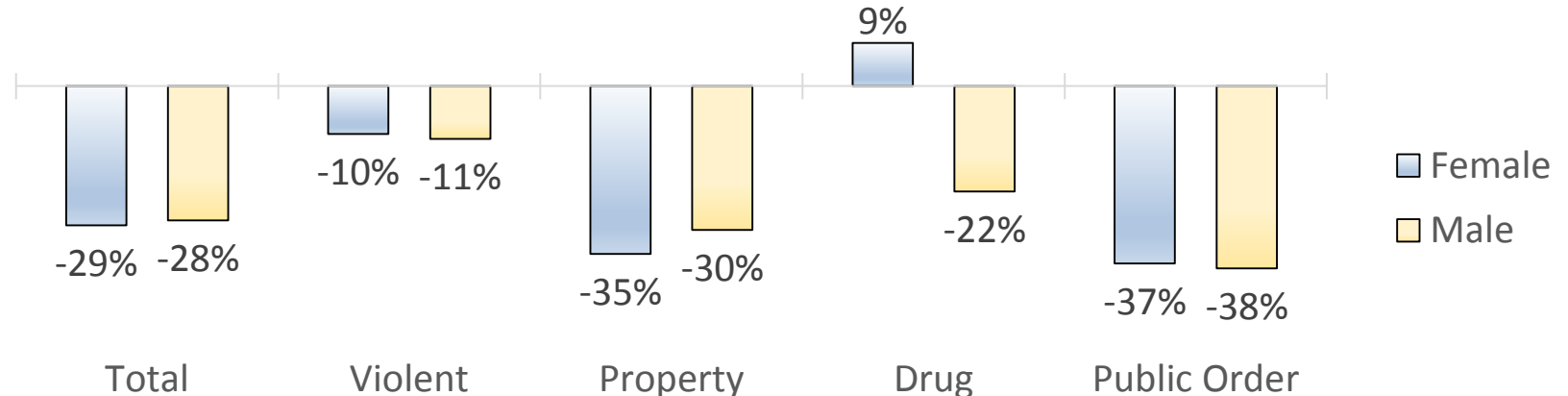


The majority of complaints have declined for female youth, but complaints for aggravated misdemeanors and drug offenses by female youth have increased.

Percent Change in Complaints by Offense Level and Gender, 2012–2016

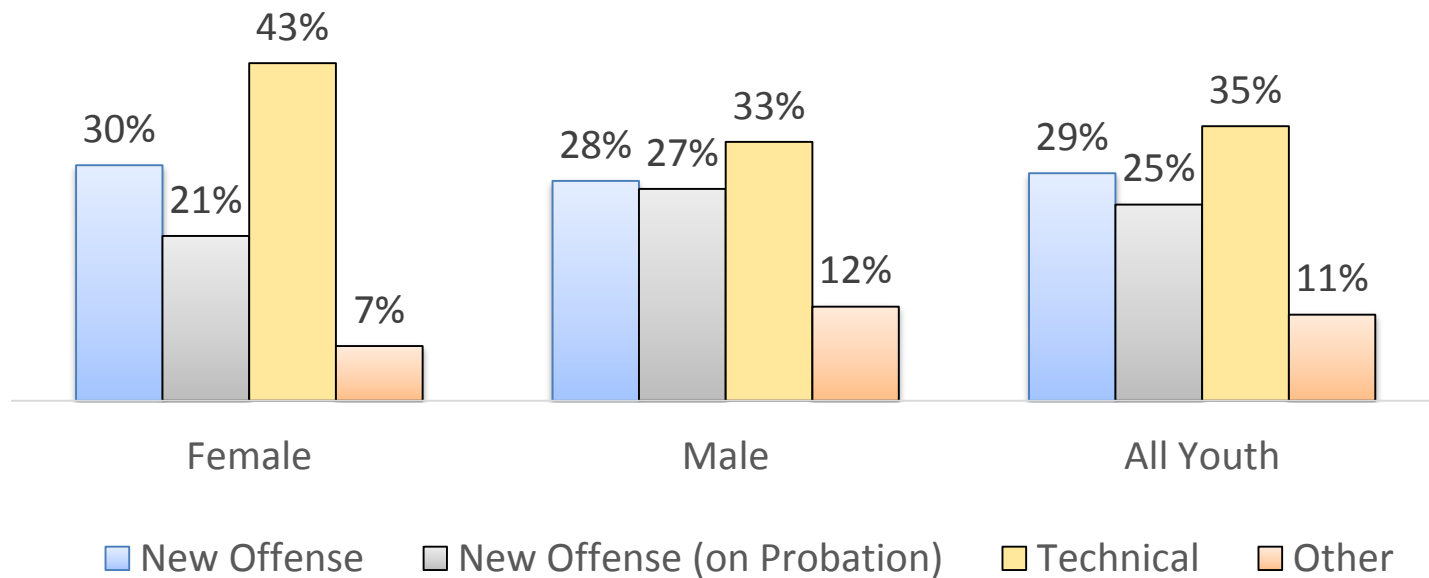


Percent Change in Complaints by Offense Type and Gender, 2012–2016



Female youth are more likely than male youth to be detained for technical violations.

Detention Reason by Gender, 2016



System stakeholders consistently raise concerns about a lack of intensive and gender-responsive services for female youth.

- Services for female youth are limited and difficult to access, particularly for high-risk, high-needs female youth. There is a lack of mental health services, residential and day treatment, and family foster care options, for example.
- A majority of chief juvenile court officers express a low level of satisfaction with the quality of services available for high-risk, high-needs female youth, and say that there is a need for more gender- and culturally responsive, trauma-informed, and developmentally appropriate supports.

A handful of states and counties have made progress on reducing racial and ethnic and gender disparities:



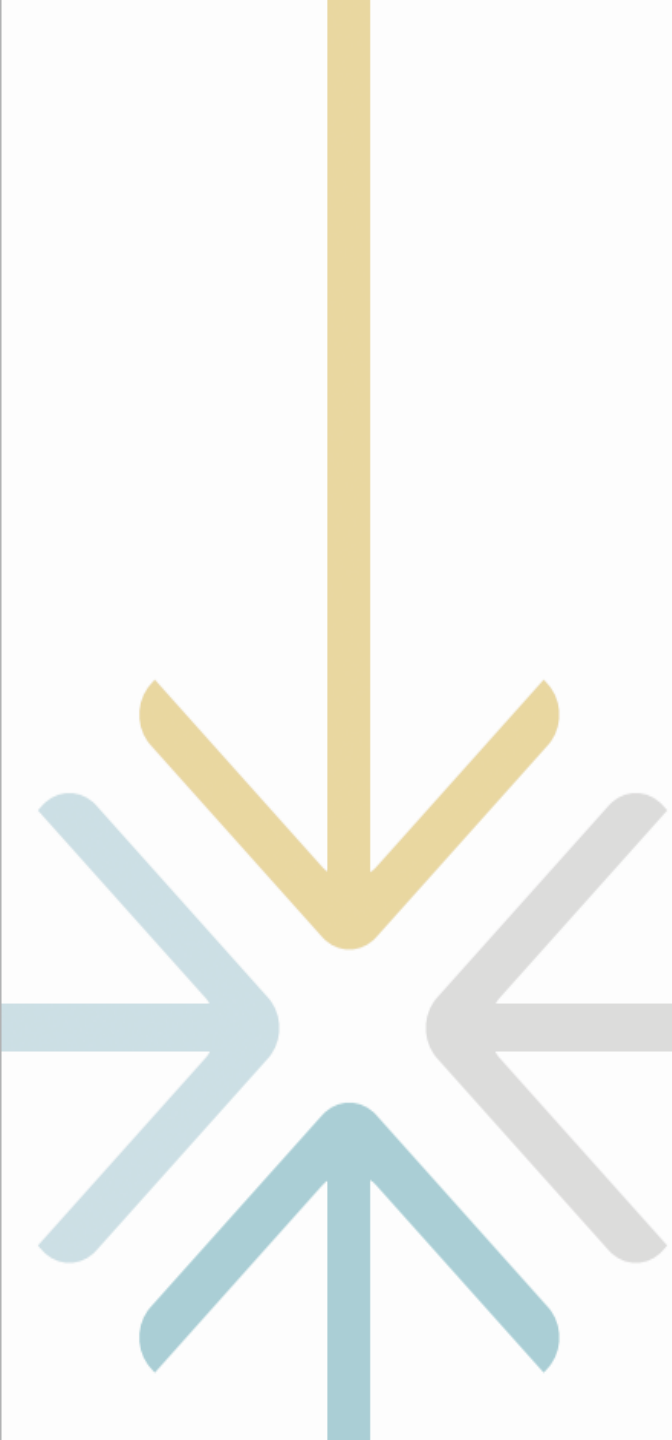
In 2015, Scott county Iowa developed a **diversion program for first-time youth offenders of simple misdemeanor, non-traffic offenses**. The project included a) implementing a new policy that requires all officers to divert eligible youth, b) training for key partners and front-line staff, and c) developing and implementing diversion classes. **Since the project was implemented in 2016, there has been a significant decrease in youth of color who are charged for simple misdemeanor, non-traffic offenses.**



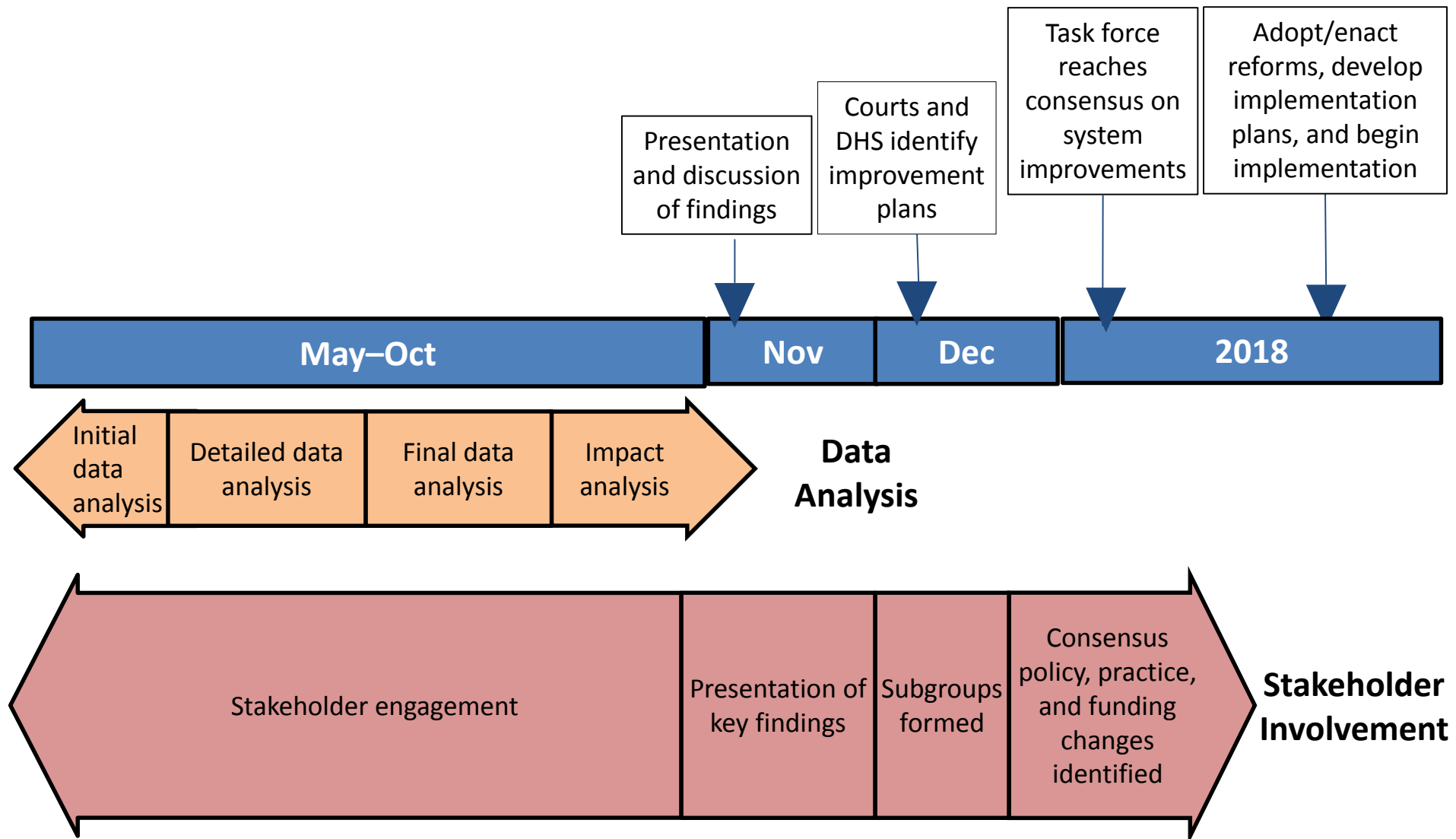
In 2013, Johnson county Iowa **re-defined protocols to guide when school staff to should contact law enforcement for youth's behavior, implemented a uniform set of graduated sanctions for in-school behaviors to limit law enforcement intervention, and created a community-based diversion program to address youth's problems/disorderly behaviors (includes youth from school settings as well as communities)**. Since project implementation, there was a significant decrease in arrests for disorderly conduct, particularly for African American youth. In 2014, 14 out of the 16 youth referred to the program were African American, and all have successfully completed the program.

There are opportunities for reducing racial and ethnic and gender disparities in Iowa.

1. Work with the Office of Juvenile Justice and Delinquency Prevention and national organizations with demonstrated and continued reductions in racial and ethnic disparities to engage in an intensive process to address disparities in one or two pilot districts. Build off of the promising work taking place in Iowa's counties.
2. Continue/strengthen data collection around disparities using both quantitative and qualitative data, and utilize data to conduct root cause analyses to identify practices and factors leading to disparities, as well as to develop targeted strategies.
3. Support and require statewide training on implicit/explicit bias for attorneys, judges, and service providers.
4. Support and require statewide training on gender responsiveness and trauma-informed care for juvenile court officers and service providers, conduct a statewide gap analysis on programming for female youth, and allocate funding based on the results.

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- A decorative graphic on the left side of the slide. It features a central white star-like shape. Four arrows point towards this center: a gold arrow from the top, a light blue arrow from the left, a teal arrow from the bottom, and a grey arrow from the right. The gold arrow is the most prominent, extending from the top edge of the slide.
- 01 Background
 - 02 System Performance
 - 03 Key Findings
 - Supervision
 - Service Delivery
 - Disparities
 - 04 **Next Steps**

Juvenile Justice System Improvement activities continue through 2018 and beyond.



Thank You

Additional Resources:

Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System:

<http://csgjusticecenter.org/youth/publications/juvenile-justice-white-paper/>

Measuring Juvenile Recidivism: <http://csgjusticecenter.org/youth/publications/measuring-juvenile-recidivism/>

Juvenile Reentry and Resources: <http://csgjusticecenter.org/youth/juvenile-reentry/>

Reducing Recidivism Interactive Checklists:

<https://csgjusticecenter.org/youth/reducing-juvenile-recidivism-interactive-checklists/>

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